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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS PEREZ,

Defendant.

CASE NO. 1:21-CR-00185-JLT-BAM

STIPULATION TO CONTINUE CHANGE OF
PLEA HEARING, AND EXCLUDE TIME
PERIODS UNDER THE SPEEDY TRIAL ACT;
ORDER

DATE: October 28, 2024
COURT: Hon. Jennifer L. Thurston

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a change of plea hearing on October 28, 2024.

2. The only remaining issue with proceeding is discussions regarding forfeiture of a home, and defendant's request that the government consider an alternative. The defendant requests additional time to propose and have the government consider an alternative.

3. Based on the above-stated findings, the ends of justice served by continuing the case for a change of plea as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

4. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of October 28, 2024 through January 13, 2025,

1 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results from a
2 continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends
3 of justice served by taking such action outweigh the best interest of the public and the defendant in a
4 speedy trial.

5 5. The parties agree and stipulate, and request that the Court find the following:

6 a) The government represents that the discovery associated with this case has been
7 provided. The government is aware of its ongoing discovery obligations.

8 b) The parties anticipate the defendant entering a change of plea on January 13,
9 2025.

10 6. Nothing in this stipulation and order shall preclude a finding that other provisions of the
11 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
12 must commence.

13
14 IT IS SO STIPULATED.

15 Dated: October 23, 2024

16 PHILLIP A. TALBERT
United States Attorney

17 /s/ KIMBERLY A. SANCHEZ
18 KIMBERLY A. SANCHEZ
Assistant United States Attorney

19 Dated: October 23, 2024

20 /s/ RICHARD BESHWATE
21 RICHARD BESHWATE
Counsel for Defendant
22 LUIS PEREZ
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FINDINGS AND ORDER

The change of plea hearing set for October 28, 2024 is continued to January 13, 2025.

Time is excluded through January 13, 2025 pursuant to 18 United States Code Section 3161(h)(7)(A), B(iv). The Court finds that the ends of justice outweigh the interest of the defendant and the public in a speedy trial.

IT IS SO ORDERED.

Dated: **October 24, 2024**


UNITED STATES DISTRICT JUDGE